



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

22469

Art Unit : 3764
Examiner : Fenn C. Mathew
Serial No. : 10/001,451
Filed : October 23, 2001
Inventors : Lisa A.G. Tweardy, *et al.*
Title : CERVICAL BRACE

Docket: 1213-01
Confirmation No. 2404
Dated: June 16, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Response to Restriction Requirement

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Joan D. Kreyer
June 16, 2004



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Sir:

This is in response to the Office Action dated May 17, 2004, in which the Examiner has set a 30-day shortened statutory period for response. This Response is being filed within the 30-day shortened statutory period set therefor.

REMARKS

The Examiner has required a restriction under 35 U.S.C. § 121 to one of the following inventions:

- I. Claims 24-51 (unattached rear plate and occipital support); or
- II. Claims 32, 40, 44, 49 and claims dependent thereon, (attached rear plate and occipital support).

In view of the restriction requirement, Applicants hereby **elect Group II, comprising claims 32, 40, 44, 49, claims dependent thereon, and all generic claims, with traverse**. This election is being made without prejudice to the filing of one or more continuation and/or divisional applications directed to the non-elected inventions or any other subject matter of this application.